

FILED

AUG - 7 2024

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LAURENTIU MIGUEL IVAN,)
VENERA ISABELLE DUMITRU,)
MIHAI FLORIN MARINESCU,)
IANUS NITA, MIHAI VLAICU,
and
NELU NAE,)
)
Defendants.)

4:24CR396 SEP/JSD

INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At all times material to this Indictment, unless otherwise specified below:

1. Simmons Bank and Central Bank, the deposits of which are insured by the Federal Deposit Insurance Corporation, are and were financial institutions within the meaning of Title 18, United States Code, Sections 20 and 1344.

COUNT I
Conspiracy to Commit Bank Fraud (18 U.S.C. § 1349)

2. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

3. Beginning no later than in or around January 2024, and continuing through at least in or around June 2024, in the Eastern District of Missouri and elsewhere, the defendants,

LAURENTIU MIGUEL IVAN,
VENERA ISABELLE DUMITRU,
MIHAI FLORIN MARINESCU,
IANUS NITA,
MIHAI VLAICU,
and
NELU NAE,

and others known and unknown to the Grand Jury, voluntarily and intentionally conspired, combined, and agreed to commit the following offense against the United States: knowingly executed and attempted to execute a scheme and artifice to defraud a financial institution and to obtain money or property in the custody and control of a financial institution, in violation of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Section 1349.

Object of the Conspiracy

4. The object of the conspiracy was to steal banking account information from victims through the use of skimming devices unlawfully installed on automatic teller machines (ATMs); and, to present the illegally obtained account information to banks or retailers for purposes of fraudulently obtaining money under the custody and control of financial institutions.

Manner and Means of the Scheme and the Conspiracy

5. The manner and means of the scheme and conspiracy to commit bank fraud were as follows:

Activity in January 2024

6. It was part of the conspiracy that in or around January 2024, VLAICU and MARINESCU covertly placed illegal skimming devices on at least two ATMs servicing customers of Simmons Bank, including the ATMs located at 10301 Clayton Road in Frontenac, Missouri, within the Eastern District of Missouri, and at 8151 Clayton Road, Clayton, Missouri, within the

Eastern District of Missouri.

7. Such skimming devices record the bank account information and PIN numbers of legitimate banking customers.

8. VLAICU and MARINESCU thereby successfully derived the private banking account information of victims, including victims D.P., B.B., D.E., T.D., N.N, and T.H.

9. VLAICU and MARINESCU, and/or their co-conspirators, attempted or completed fraudulent withdrawals by “cloning” the aforementioned victims’ stolen banking account information (that is, copying and imposing the banking account information) onto gift cards with electromagnetic strips, obtained and utilized by VLAICU and MARINESCU, and/or their co-conspirators, for this purpose.

10. VLAICU and MARINESCU, and/or their co-conspirators, then used these “cloned” cards to withdraw (or to attempt to withdraw) from ATMs money in the custody or under the control of Simmons Bank on various dates in and around January 2024.

Activity in April and May 2024

11. On or about April 15, April 16, April 17, April 18, and April 19, 2024, DUMITRU and IVAN used cloned cards bearing account information belonging to victims P.S. and W.E. to attempt to withdraw cash from ATMs at Walgreens stores in the City of St. Louis, within the Eastern District of Missouri. The total value of these withdrawals was at least \$1,421 as to withdrawals by IVAN, and \$1,070.50 as to withdrawals by DUMITRU.

12. On or about April 25, 2024, IVAN and DUMITRU utilized multiple stolen account numbers to attempt to withdraw cash from an ATM in St. Louis County, within the Eastern District of Missouri, including from an account and using an account number belonging to victim D.M.

13. On or about April 30, 2024, VLAICU utilized multiple stolen account numbers to

attempt to withdraw cash from an ATM in St. Louis County, within the Eastern District of Missouri, including from accounts belonging to victims S.R., A.C., A.A., L.B., J.R., and R.H.

14. On or about May 2, 2024, MARINESCU attempted to install a skimming device at a Central Bank ATM in South St. Louis County, within the Eastern District of Missouri. The installation was unsuccessful, but MARINESCU left the unsuccessfully installed skimming device in or on the ATM.

15. On or about May 3, 2024, NAE removed the unsuccessfully-installed skimming device from the Central Bank ATM in South St. Louis County.

16. On or about May 9, 2024, MARINESCU covertly placed an illegal skimming device on a Central Bank ATM located at 16415 Village Plaza View Drive in Wildwood, Missouri, within the Eastern District of Missouri.

17. On or about May 11, 2024, NITA utilized multiple stolen account numbers to attempt to withdraw, and did withdraw, cash from an ATM in St. Louis County, within the Eastern District of Missouri, including account numbers belonging to victims D.R. and M.S.

Co-Conspirators Gather in St. Louis—and Continue Their Fraud

18. Beginning on or around May 25, 2024, IVAN, DUMITRU, MARINESCU, NITA, VLAICU, and NAE—that is, all six Defendants—stayed together at a rented AirBNB in St. Louis County, within the Eastern District of Missouri. The Defendants utilized the AirBNB as a nucleus for their criminal activity and kept at the AirBNB items that they used in connection with their bank fraud scheme, including skimming devices and/or components thereof, skimming device installation tools and/or accessories, a large amount of cash, and numerous gift cards.

19. On or about May 28, 2024, MARINESCU and NAE covertly placed an illegal skimming device on an ATM at 7-Eleven at 3160 Morganford Road in St. Louis, within the Eastern

District of Missouri.

20. On this same day, NITA and VLAICU attempted to remove the skimming device placed by MARINESCU and NAE—but law enforcement had already removed the device.

21. Also recovered from the rented AirBNB was a laptop computer, recently used by IVAN and DUMITRU, containing hundreds of videos showing customers entering their PIN when using an ATM outfitted with a skimming device. Such videos are generated by cameras installed near skimming devices for the purposes of illegally obtaining this information.

22. IVAN, DUMITRU, MARINESCU, NITA, VLAICU, and NAE successfully defrauded Simmons Bank, Central Bank, and/or the aforementioned victims, and additional victims, through their scheme.

COUNT II

Fraud in Connection with Access Devices (18 U.S.C. §§ 1029(a)(1) and 2)

23. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

24. On or about April 25, 2024, in the Eastern District of Missouri, the defendants,

**LAURENTIU MIGUEL IVAN and
VENERA ISABELLE DUMITRU,**

each aiding and abetting each other, did knowingly and with intent to defraud produce, use, or traffic in one or more counterfeit access devices, to wit, one or more gift cards altered to bear account information belonging to victim D.M., and the offense affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(1).

COUNT III

Aggravated Identity Theft (18 U.S.C. § 1028A and 2)

25. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

26. On or about April 25, 2024, in the Eastern District of Missouri, the defendants,

**LAURENTIU MIGUEL IVAN and
VENERA ISABELLE DUMITRU,**

each aiding and abetting each other, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the account number issued by Central Bank to victim D.M., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, a violation of 18 U.S.C. § 1029(a)(1) as set forth in Count II herein, and a violation of 18 U.S.C. § 1349 as set forth in Count I herein, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT IV
Fraud in Connection with Access Devices (18 U.S.C. § 1029(a)(1))

27. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

28. On or about May 11, 2024, in the Eastern District of Missouri, the defendant,

IANUS NITA,

did knowingly and with intent to defraud produce, use, or traffic in one or more counterfeit access devices, to wit, cards bearing account information belonging to victims D.R. and M.S., and the offense affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(1).

COUNT V
Aggravated Identity Theft (18 U.S.C. § 1028A)

29. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

30. On or about May 11, 2024, in the Eastern District of Missouri, the defendant,

IANUS NITA,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the account numbers issued by banking institutions to victims D.R. and M.S., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, a violation of 18 U.S.C. § 1029(a)(1) as set forth in Count IV herein, and a violation of 18 U.S.C. § 1349 as set forth in Count I herein, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT VI
Fraud in Connection with Access Devices (18 U.S.C. § 1029(a)(1))

31. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

32. On or about April 30, 2024, in the Eastern District of Missouri, the defendant,

MIHAI VLAICU,

did knowingly and with intent to defraud produce, use, or traffic in one or more counterfeit access devices, to wit, cards bearing account information belonging to victims S.R., A.C., A.A., L.B., J.R., and R.H., and the offense affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(1).

COUNT VII
Aggravated Identity Theft (18 U.S.C. § 1028A)

33. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

34. On or about April 30, 2024, in the Eastern District of Missouri, the defendant,

MIHAI VLAICU,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the account numbers issued by banking institutions to victims S.R., A.C., A.A.,

L.B., J.R., and R.H., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, a violation of 18 U.S.C. § 1029(a)(1) as set forth in Count VI herein, and a violation of 18 U.S.C. § 1349 as set forth in Count I herein, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT VIII
Fraud in Connection with Access Devices (18 U.S.C. § 1029(a)(1))

1. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.
2. On or about April 27, 2024, in the Eastern District of Missouri, the defendant,

MIHAI FLORIN MARINESCU,

did knowingly and with intent to defraud produce, use, or traffic in one or more counterfeit access devices, to wit, a card bearing account information belonging to victim R.M., and the offense affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(1).

COUNT IX
Aggravated Identity Theft (18 U.S.C. § 1028A)

3. Each of the allegations in this Indictment is hereby incorporated by reference as if fully set forth herein.

4. On or about April 27, 2024, in the Eastern District of Missouri, the defendant,

MIHAI FLORIN MARINESCU,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, a card bearing account information issued by Central Bank to victim R.M., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, a violation of 18 U.S.C. § 1029(a)(1) as set forth in Count VIII herein, and a violation of 18 U.S.C. § 1349 as set

forth in Count I herein, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Sections 982(a)(2)(A) and (a)(2)(B), upon conviction of a conspiracy to commit an offense in violation of Title 18, United States Code, Section 1344, as set forth in Count I, and upon conviction of an offense in violation of Title 18, United States Code, Section 1029, as set forth in Counts II, IV, VI, and VIII, or, the Defendant(s) shall forfeit to the United States any property constituting, or derived from, proceeds the Defendant(s) obtained, directly or indirectly, as a result of such violation(s). Subject to forfeiture is a sum of money equal to the total value of property, real or personal, constituting or derived from any proceeds traceable to such violation(s).

2. Pursuant to Title 18, United States Code, Section 1029(c)(1)(C), upon conviction of an offense in violation of Title 18, United States Code, Section 1029, as set forth in Counts II, IV, VI, and VIII, the Defendant(s) shall forfeit to the United States any personal property used or intended to be used to commit said offense(s).

3. If any of the property described above, as a result of any act or omission of the Defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without

difficulty,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

FOREPERSON

SAYLER A. FLEMING
United States Attorney

CORT A. VANOSTRAN #67276MO
Assistant United States Attorney